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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,470	10/31/2000	Paul J. Dow	478SC	1093

7590 12/26/2001
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EXAMINER

CHIESA, RICHARD L

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 12/26/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/702,470

Applicant(s)

P. J. Dow

Examiner

RICHARD L. CHIESA

Group Art Unit

1724

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-22 is/are pending in the application.
- ☐ Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-12, 14-20, and 22 is/are rejected.
- ☒ Claim(s) 13 and 21 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
 - ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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DETAILED ACTION

Drawings

1. The drawings filed on October 31, 2000 have been approved by the PTO Draftsperson.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 14, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art as described by applicant on pages 1 and 2 of the specification in view of Shishido et al. The admitted prior art as described by applicant on pages 1 and 2 of the specification discloses a carburetor valve assembly with a polymeric shaft having a slot for supporting a valve substantially as claimed. It would appear, however, that the admitted prior art does not explicitly mention a cam body connected to the shaft for co-rotation. Shishido et al (note Figures 1-9) teach the well-known use of a cam body 66 with a plurality of stops 67, 73 connected to a valve shaft 21 for co-rotation therewith in a carburetor for the purpose of ensuring optimum valve movement control (note col. 3, line 47 to col. 4, line 3). Consequently, it would have been readily obvious to one having ordinary

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skill in the art to employ a co-rotatable cam body connected to the valve shaft in the admitted prior art carburetor valve assembly in order to facilitate valve movement control as taught by Shishido et al.

4. Claims 1, 2, 5-7, 12, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claim 14 in paragraph 3 above, and further in view of Tuckey et al. The prior art as described above in paragraph 3 discloses a carburetor valve assembly substantially as claimed with the apparent exception of a polymeric integrally molded cam body. Tuckey et al (note Figures 3, 5, 6, 8) teach the use of a polymeric cam body 16 integrally molded to the valve 52, 128 and valve shaft 22, 126 in a carburetor valve assembly for the purpose of ensuring a lightweight construction (note col. 1, lines 19-27; col. 2, lines 35-43, and col. 5, lines 4-6). It would have been obvious to one having ordinary skill in the art to employ a polymeric cam body integrally molded to the valve shaft of the prior art carburetor described above in order to maintain a lightweight construction as taught by Tuckey et al.

5. Claims 3, 4, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claims 2 and 14 respectively above, and further in view of Dye. The prior art as described above in paragraphs 3 and 4 disclose carburetor valve assemblies substantially as claimed with the exception of tabs on the valve head. Dye (note Figures 1-3, and col. 2, lines 29-39) teaches the well-known use of a plurality of tabs 32 on a carburetor valve assembly valve head 8 for the

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purpose of ensuring proper valve securement. It would have been obvious to one having ordinary skill in the art to employ a plurality of tabs on the valve head in either one of the prior art carburetor valve assemblies described above in order to properly secure the valve head to the valve shaft as taught by Dye.

6. Claims 18, 20, 22, and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art as applied to claims 14 and 1 respectively above, and further in view of McCann. The prior art as described above in paragraphs 3 and 4 disclose a carburetor valve assembly substantially as claimed with the apparent exception of an interference fit and a non-circular valve shaft. In any case, McCann (note Figures 1-7, and col. 3, lines 10-62) teaches the well-known use of these expedients (note ref. num. 16, 26) in a carburetor valve assembly for the purpose of facilitating securement and for this same reason it would have been obvious to one of ordinary skill in the art to employ these expedients in any one of the prior art carburetor valve assemblies described above.

Allowable Subject Matter

7. Claims 13 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These references have been cited as art of interest to show other carburetors.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard L. Chiesa whose telephone number is (703) 308-3791.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1700 receptionist whose telephone number is (703) 308-0661.

Facsimile correspondence to Art Unit 1724 must be transmitted through (703) 305-7718. This number is for Art Unit 1724 correspondence only.

Richard L. Chiesa
December 20, 2001

Richard L. Chiesa

**RICHARD L. CHIESA
PRIMARY EXAMINER
ART UNIT 1724**

Dec. 20, 2001